

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**ELLEN T. FLOWERS,**

**Plaintiff,**

**VS.**

**ALLSTATE INDEMNITY COMPANY,**

**Defendants.**

**CASE NO.: CV 3:06-552-SRW**

**PROPOSED AMENDED SCHEDULING ORDER**

1. Pursuant to Fed.R. Civ. P. 26(f), a meeting was held by telephone, at Huie, Fernambucq & Stewart, L.L.P. and was attended by:

Michael F. Braun on behalf of Plaintiff, Ellen T. Flowers.

Gordon J. Brady, III on behalf of Defendants Allstate Indemnity Company.

2. **DISCOVERY PLAN.** The parties jointly propose to the Court the following amended discovery plan:

Discovery will be needed on the following subject:

Plaintiff: The basis of denial and Defendant investigation of this claim.

Defendant: The basis for Plaintiff's claims and any alleged damages.

All discovery commenced in time to be completed by **July 1, 2007**.

Maximum of 30 interrogatories by each party to any other party. Responses due 30 days after service.

Maximum of 25 request for admissions by each party to any other party. Responses due 30 days after service.

Maximum of 4 depositions for Plaintiff and 4 depositions for Defendants.

Reports from retained experts under Rule 26(a)(2) shall be due from the Plaintiff on or before **April 15, 2007** with Plaintiff's experts to be deposed before **May 15, 2007**. Reports from Defendants' experts under Rule 26(a)(2) shall be due on or before **June 15, 2007** with Defendants' experts to be deposed on or before **July 15, 2007**. Supplementations under Rule 26(e) due **August 1, 2006**.

3. **OTHER ITEMS:**

All dispositive motions should be filed by **August 15, 2007**.

Settlement cannot be realistically evaluated prior the close of discovery.

The parties request a final pretrial conference **September 2007**..

Final lists of trial evidence under Rule 26(a)(3) should be due:

From Plaintiff and Defendant 20 days before trial; exhibits 20 days before trial.

The parties should have 7 days after service of final lists of trial evidence to list objections under Rule 26(a)(3).

The case should be ready for trial **October 2007**. Expected length of trial is 2 days.

Respectfully submitted

s/Gordon J. Brady, III

s/Thomas E. Bazemore, III

Huie, Fernambucq & Stewart, LLP

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